

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **EDCV 22-745 JGB (SHKx)**Date **October 25, 2022**Title ***Jon Dickenson v. Ford Motor Company, et al.***Present: The Honorable **JESUS G. BERNAL, UNITED STATES DISTRICT JUDGE****MAYNOR GALVEZ**

Deputy Clerk

Not Reported

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

Proceedings: Order to Show Cause (IN CHAMBERS)

On April 29, 2022, Defendant Ford Motor Company removed the action. (“Notice of Removal,” Dkt. No. 1.)

Since then, there has been virtually no activity in this case. Rule 41(b) of the Federal Rules of Civil Procedure grants the Court authority to *sua sponte* dismiss actions for failure to prosecute or failure to comply with court orders. See Fed. R. Civ. P. 41(b); Wolff v. California, 318 F.R.D. 627, 630 (C.D. Cal. 2016). A plaintiff must prosecute her case with “reasonable diligence” to avoid dismissal pursuant to Rule 41(b). Anderson v. Air W., Inc., 542 F.2d 522, 524 (9th Cir. 1976). Here, it appears that Plaintiff may have failed to prosecute his case with reasonable diligence because the case has been largely dormant for 6 months.

Additionally, absent a showing of good cause, an action must be dismissed without prejudice if the summons and complaint are not served on a defendant within 90 days after the complaint is filed. Fed. R. Civ. Proc. 4(m). Generally, defendants must answer the complaint within 21 days after service (60 days if the defendant is the United States). Fed. R. Civ. Proc. 12(a)(1). In the present case, it appears that one or more of these time periods has not been met.

Accordingly, the Court orders Plaintiff to show cause in writing no later than **November 7, 2022**, why this action should not be dismissed for failure to prosecute. Pursuant to Rule 78 of the Federal Rules of Civil Procedure, the Court finds that this matter is appropriate for submission without oral argument. The Order to Show Cause will stand submitted upon the

filing of a responsive pleading or motion on or before the date upon which a response by the plaintiff is due.

IT IS SO ORDERED.